

**CITY OF WEST DES MOINES  
DEVELOPMENT AND PLANNING  
CITY COUNCIL SUBCOMMITTEE MEETING  
City Hall Training Room  
Thursday, March 7, 2013**

**Attending:**

Council Member Ted Ohmart  
City Manager Greg Sparks  
Deputy City Manager/City Clerk Jody Smith  
Development Planning and Inspection Manager  
Christopher Shires

City Engineer Duane Wittstock  
Principal Engineer Brian Hemesath  
Assistant to the City Manager Aaron Chittenden  
Planner Linda Schemmel

**Guest:** Theresa Greenfield – Colby Mgmt -Item #1      Korey Birkenholtz – CBRE/Hubbell - Item #1  
Alan Alberto – Cardinal Health – Item #1      Jon Ledinsky – CBRE/Hubbell - Item #1

The meeting of the Development and Planning City Council Subcommittee was called to order at 7:34 a.m.

**1. Cardinal Health at the Colby Office Park**

Development Planning and Inspection Manager Shires provided that Cardinal Health, a pharmaceuticals company, was interested in locating within Colby Office Park at 1011 Office Park Road. Cardinal Health prepares drugs related to nuclear medicine for use in area hospitals and clinics. Per the zoning code, this use is only permitted within our industrial and business park zoning districts. Colby Office Park is covered by a Planned Unit Development (PUD) ordinance and has a base zoning of office uses. Cardinal Health had previously investigated relocating on the Hurd property on 8<sup>th</sup> Street (formerly Quality Ford site) which is zoned Regional Commercial. This was discussed at a previous Council Subcommittee and the Subcommittee at that time was supportive of a PUD amendment to allow this use specifically on the Hurd property rather than a zoning code change that would apply City-wide. Staff has reviewed this request and is of the opinion that this would be an appropriate use for the Colby Office Park.

Council Member Ohmart inquired as to the uses of the surrounding properties. Mr. Shires pointed out the apartment complexes to the south and west and single story office buildings to the west and east.

Ms. Greenfield, representing Colby Management Company, inquired if the committee would be interested in supporting a change to the PUD for this use in one of their single story office park buildings in the Colby Office Park. This company is looking for a new home and was very much interested in this location as it was close to their customer base, as well as having good freeway access.

Mr. Alberto with Cardinal Health provided information on the Cardinal Health Company which has been conducting business in the Des Moines area for over 35 years. They have a history of being long-term tenants and would not be relocating from their current location downtown if their lease had not expired and was not been renewed. It is a sophisticated business that makes patient specific dosages of radio tracers for imaging which is then used to identify different disease states. Mr. Alberto continued that this business has changed dramatically in the last few years and their client base has expanded to include the new clinics and hospitals in West Des Moines. Also, since most of their employees live in the western suburbs, this would be an ideal location to grow their business.

Mr. Shires confirmed that he had previously met with Mr. Alberto who explained their operation. Staff feels that this would be an appropriate use and location for this business and staff supports a PUD amendment.

Council Member Ohmart inquired if there was room to expand the company. Mr. Alberto replied that there was substantial space within the building which would allow for adequate room to grow.

Council Member Ohmart also inquired if there was adequate parking. Mr. Shires responded “yes” as there were more parking spaces available than required for this business. Mr. Alberto stated that there were eight delivery cars, six of which leave the facility for deliveries on a daily basis. The vehicles would be parked at this location overnight.

Council Member Ohmart asked if any of the materials used in their operation were hazardous to workers or a threat to adjacent tenants. Mr. Alberto explained that their drugs are considered low level radioactive materials, but have a short life span (half-life) and are contained within the site. Once a dosage is used and returned by a customer, it is disposed of within two and one-half days and no longer considered radioactive or a hazard. Mr. Alberto stressed that this type of business was highly regulated by the government and that all policies, procedures, and obligations are taken seriously and strictly adhered to and monitored to ensure the safety of employees and all those in the vicinity. The governing agencies include the Board of Pharmacies, the Department of Radiological Health, the Department of Transportation, and the FDA.

Council Member Ohmart inquired how often the business received deliveries. Mr. Alberto responded that there were usually daily deliveries Monday through Friday; one overnight delivery for radioactive products, Federal Expresses deliveries in the late morning, and often a UPS delivery in the afternoon for a total of 3-4 deliveries per day.

Mr. Shires expressed that the PUD amendment will go through a public hearing process with the Plan and Zoning Commission and City Council with hearing notices mailed to the adjoining property owners. Mr. Alberto stated that if there was a need, they would be willing to facilitate a site visit.

*Directions: Council Member Ohmart was supportive of a PUD amendment to allow this use as long as the neighbors were not negatively impacted.*

## **2. Window Decal Signage**

Examples of window graphics and signage, along with the definition of a window sign, were distributed to the subcommittee. Kevin Wilde, Sign & Zoning Administrator, extensively discussed evolving window sign issues and violations to the sign code that have surfaced lately. As technology and products have changed, more and more retailers have begun to install signage/graphics in their windows that cover more than 25% of their glazed window surface. This has proven to be an inexpensive way to advertise their product or business.

Mr. Wilde continued by discussing the examples provided explaining that he is struggling with the division of what is considered signage and what would be considered “art.” With our sign definition, anything that is intended to attract attention to the business, products, or use would be considered signage. Mr. Wilde provided examples of businesses that had 100% coverage of their windows for screening and privacy. Distinction had to be made on what portion of the graphic was signage and what was just a colorful graphic. When Bike World left their site at 60th and Ashworth, the current tenant, an eye clinic, kept the biking graphic on their west window which was not considered signage since they were not in the business of selling bikes.

Mr. Shires provided that often it was difficult to decide when and if graphics were signage as there was no clear definition which could be applied equally. Staff has suggested that in application of the sign code language, only 25% of a glazed window would be allowed to have a graphic depiction of any kind, and if they wished to cover the remaining window, the area would be required to have one solid color. Those businesses that already exceed this requirement would be “grandfathered,” but would need to comply if they changed out the current graphics. It was hoped that this would make the regulation less subjective and more uniform for application and enforcement. Mr. Wilde provided that he reviewed court cases and worked with the City’s legal department to generate a flow chart in order to determine the City’s legal standing in their sign code decisions and would bring that information forward in the future.

Council Member Ohmart struggled with some of the examples (Bike World) where the graphic would be allowed for one use, but not another as it was the same sign no matter who occupied the building. Council Member Ohmart commented that he thought the graphics were actually bill boards.

*Directions: Staff will continue to enforce the current sign code which only allows 25% of the glazed area to be covered with signage, but any graphics must be contained within that 25% area and that the remaining window area can only be covered using one solid color.*

### 3. Upcoming Projects

1. **Enclave at Ashworth Plat 2** – Mid-America Investment Company is requesting Preliminary Plat approval for a subdivision to be located at the southeast corner of 67th Street and Ashworth Road and would have the same single-family residential lot sizes as that of the Enclave at Ashworth Plat 1 located farther to the east. The Homeowners Association would own and maintain the outlot for the large wetlands area located at the southwest quadrant of this development.
2. **Village at Maple Bend** – Site Plan approval has been requested for the east half of the former Triton project to finish constructing the three-story row house project on the property located at the southeast corner of Oxford Drive and 89th Street. At their last meeting, the City Council approved a revised Preliminary Plat and Site Plan for a row-house project on the west side of 89<sup>th</sup> Street.
3. **Tallyn’s Reach PUD Amendment (Woodland Hills)** – David Powell with Community Business Leaders has requested approval of an amendment to the Tallyn’s Reach PUD to update the zoning for the parcels they own within Woodland Hills to match the land use changes approved with the 2010 Comprehensive Plan update. The PUD amendment will go through a public hearing process with the Plan and Zoning Commission and City Council with hearing notices mailed to the adjoining property owners.

Mr. Shires also provided that there is a proposed modification to the street network. Community Business Leaders has requested to eliminate the requirement for Harper Lane to be extended as a required through street to S. 88<sup>th</sup> Street. Staff has commented that South 92nd Street will need to be constructed to Stagecoach and will be made a requirement in the PUD. Discussion ensued regarding making 92nd Street a public versus a private street. Ms. Schemmel clarified that Community Business Leaders did not have a preference, but that some of the potential buyers have commented that they do not want S. 92<sup>nd</sup> Street to be private.

Council Member Ohmart asked if the elimination of Harper Lane was City initiated. Mr. Shires stated that Community Business Leaders made this request. Council Ohmart stated that the City should be able to negotiate with Community Business Leaders to have them make the needed improvements to the existing S. 92<sup>nd</sup> Street to bring it up to City standards necessary to make it a public street.

#### **4. Other Matters**

There were no other matters.

The meeting adjourned at 8:55 a.m. The next Development and Planning City Council Subcommittee meeting is scheduled for Thursday, March 21, 2013.

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Christopher Shires, Development Planning  
and Inspection Manager

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Kim Taylor, Recording Secretary